

West Lake Update

November 20, 2014

EPA Policy on Temporary and Permanent Relocations at Superfund Sites

NOTE: Because of recent questions from community members on the topic, this issue of West Lake Update takes a closer look at EPA's policy regarding temporary and permanent relocations associated with Superfund sites.

The National Contingency Plan (NCP) includes a reference to temporary or permanent relocation of residents, businesses, and community facilities as a possible method of remedying releases when the Agency determines that it is necessary to protect human health and the environment. Because permanent relocation is considered a remedial activity, from a legal perspective EPA would typically consider and select it only pursuant to the remedy evaluation process set forth in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and the NCP. It is also the preference of the Agency to keep communities intact by not permanently relocating families and businesses whenever possible.

In the history of the Superfund program, EPA has implemented permanent relocations of businesses or residences at only 33 of the more than 1,600 final and deleted sites on the National Priorities List. Of those 33, the majority were for engineering solutions necessary to implement the cleanup remedy.

At the vast majority of Superfund sites, EPA's remedial actions address site risks to enable families and businesses to remain in their communities, making permanent relocation unnecessary. EPA guidance clearly states that while relocation authority is provided for by CERCLA, the preference to keep communities in place during a cleanup is consistent with Superfund statutory and regulatory requirements. In the rare instances where permanent relocation does occur, the primary reasons for doing so are to address an immediate risk to human health (where an engineering solution is not readily available) or where site structures (such as homes and businesses) are an impediment to implementing a protective cleanup.

Region 7's response actions, to date, at the West Lake Landfill Superfund Site make temporary or permanent relocation inconsistent with EPA's authority and practice as well as with the scientific evidence. While EPA understands the public's concern about the subsurface smoldering event (SSE), at this time EPA does not believe that data substantiates a conclusion that the SSE is moving toward the radiologically-impacted material (RIM).

Even if the SSE were to contact the RIM, EPA does not believe it would become reactive or explosive at the temperatures that are typically observed in an SSE. An SSE in Operable Unit 1, with or without contact with the RIM, would be expected to change the conditions within the landfill, and likely would increase the rate at which landfill gases are released through surface cracks or fissures. These gases could be released as steam, radon and potentially other gases (as determined by the composition of the non-RIM materials present). However, based on EPA's understanding of SSEs, the release of any gases would likely be localized,

and not occur over the entire site. EPA does not anticipate there would be RIM in gases or associated with the fine particulates if gases were to be released from the Westlake Landfill due to an SSE. EPA is working with the Missouri Department of Natural Resources (MDNR) to collect additional information on temperatures, gases and subsidence that can be used to develop a better picture of trends and potential movement of the SSE.

Meanwhile, EPA is evaluating the construction of an isolation barrier that will serve to prevent an SSE from contacting the RIM. Decisions about the construction and location of an isolation barrier will be made in consideration of all response actions being evaluated for the site, to ensure that this interim action is complementary to the remedial action that EPA will ultimately perform. EPA will evaluate any issues related to the SSE and isolation barrier that may impact the integrity of the remedial action.

Available scientific data indicates that people living near and working outside the boundaries of the site are not being exposed to contaminants released from the site at levels of concern. In 2013, EPA's scientific aerial survey of the site and nearby residential and commercial/industrial properties detected no off-site excess gamma emissions in surface soil. The same survey only detected gamma emissions from surface soil in one small area of Operable Unit 1, Area 2, which was previously identified by EPA's Remedial Investigation. Also in 2013, off-site groundwater sampling by the U.S. Geological Survey and EPA of privately-owned wells northwest and southwest of the site detected no radionuclide exceedances of drinking water standards. In 2005, MDNR conducted soil sampling along St. Charles Rock Road, Boenker Road and Taussig Road, just beyond the site's boundaries, and did not detect uranium, thorium, or radium above the cleanup standards established for the FUSRAP sites. In addition, EPA's 2014 sampling at the Bridgeton Municipal Athletic Complex found no exceedances for uranium, thorium, or radium.

Region 7 continues to work diligently towards a final remedy at the site. As stated above, the primary reasons for including permanent relocation as part of a site's final remedy would be to address an immediate risk to human health, or where site structures are an impediment to implementing a protective cleanup. Due to the current site conditions (no off-site exposure to contaminants above a level of concern and no existing structures preventing the implementation of a final remedy), at this time Region 7 does not believe site data warrants consideration of permanent relocation. EPA will continue to evaluate all data related to the site, and will consider all appropriate remedial alternatives as required by CERCLA.

For more information about relocation and the Superfund program, please visit: www.epa.gov/superfund/community/relocation



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